

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

MARK N. REEVES,

Plaintiff,

vs.

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant

Civil No. CV-05-0219-CI

ORDER GRANTING
STIPULATED MOTION
FOR REMAND

Based upon the stipulation of the parties, it is hereby ORDERED that the above-captioned case be remanded to the Commissioner of Social Security for further administrative proceedings, before a new administrative law judge (ALJ), including further development of the record, a new hearing and a new decision. On remand, the ALJ will: 1) further evaluate the opinion and assessment of Dr. Shuster; 2) further develop the severity of all of Plaintiff's impairments both physical and mental that were present at the time it was determined Plaintiff had experienced medical improvement; 3) upon the expanded record reconsider

1 Plaintiff's credibility pursuant to SSR 96-7p; 4) further consider Plaintiff's residual
2 functional capacity in light of the expanded record; 5) upon the expanded record
3 redetermine whether Plaintiff has obtained medical improvement in his ability to
4 perform work activities and is no longer disabled; and 6) if necessary, obtain
5 vocational expert testimony to clarify the effect of the assessed limitations on
6 Plaintiff's occupational base.

7 Plaintiff may present new arguments and evidence. The ALJ may perform
8 further development and conduct further proceedings as necessary.

9 This case is reversed and remanded pursuant to sentence four of 42 U.S.C.
10 § 405(g). Upon proper presentation, this Court will consider Plaintiff's application
11 for costs, expenses and reasonable attorney's fees under the Equal Access to
12 Justice Act, 28 U.S.C. §§ 2412(a),(d).

13 DATED May 9, 2006.

14
15 S/ CYNTHIA IMBROGNO
16 UNITED STATES MAGISTRATE JUDGE

17 Presented by:

18 s/ RICHARD M. RODRIGUEZ
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